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Attorneys for Defendant
United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

SAMSON TUG AND BARGE CO., INC., an Alaska Corporation)	Civil No. A03-006 CV
Plaintiff/Appellant)	IN ADMIRALTY
v.)	
UNITED STATES OF AMERICA,)	(PROPOSED)
acting by and through)	ORDER
the UNITED STATES DEPARTMENT of the)	
NAVY MILITARY SEALIFT COMMAND,)	
and UNITED STATES DEPARTMENT OF)	
THE ARMY MILITARY TRAFFIC)	
MANAGEMENT COMMAND)	
Defendants/Appellees)	

Civil No. A03-006 CV
IN ADMIRALTY

(PROPOSED)
ORDER

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

SAMSON TUG AND BARGE CO., INC., an Alaska Corporation)	Civil No. A03-006 CV
)	
Plaintiff/Appellant)	IN ADMIRALTY
)	
v.)	
)	
UNITED STATES OF AMERICA,)	ORDER GRANTING
)	MOTIONS <i>IN LIMINE</i> BROUGHT
acting by and through)	BY DEFENDANT USA
)	
the UNITED STATES DEPARTMENT of the)	
NAVY MILITARY SEALIFT COMMAND,)	
and UNITED STATES DEPARTMENT OF)	
THE ARMY MILITARY TRAFFIC)	
MANAGEMENT COMMAND)	
)	
Defendants/Appellees)	

Motions *in limine* having been brought by defendant, United States of America,
regarding the testimony of certain of plaintiff's witnesses; and

Good cause appearing for the motions to be granted in their entirety; its is therefore
hereby

ORDERED that the motions of the United States be and hereby are granted; and
further that

Plaintiff Samson may not call witnesses to testify at trial that it did not disclose by the
deadlines set by this Court; and further that

Plaintiff Samson may not call witnesses to testify at trial regarding those subjects on which it failed to produce a witness pursuant to Fed.R.Civ.Pro.30(b)(6), as follows: the factual basis for its contentions that a diversion of what it calls "contract cargo" actually occurred and that the alleged diversion was to air carriage; that the Government had supposedly agreed to ship "all military and military sponsored cargo" with Samson; that the denial by the Government of its claim was baseless; and that Samson is entitled to attorneys' fees, and the amount thereof; and further that

Plaintiff Samson may not seek to introduce the untimely last report of its damage expert George Johnson, and that his testimony on subjects related to air cargo and records related thereto, as contained in that report, is excluded at trial on the basis that it was improperly disclosed and that he does not possess the qualifications nor has he followed a methodology which would permit him to testify as an expert on said subjects at trial.

IT IS SO ORDERED this ____ day of _____, 2008 in Anchorage, Alaska.

UNITED STATES DISTRICT COURT JUDGE

SUBMITTED BY:

Dated: March 31, 2008

JEFFREY S. BUCHOLTZ
Acting Assistant Attorney General
NELSON P. COHEN
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GARY GUARINO
Chief, Civil Division
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R. MICHAEL UNDERHILL
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s/Jeanne M. Franken

JEANNE M. FRANKEN
Trial Attorney
Torts Branch, Civil Division
U.S. Department of Justice

Attorneys for Defendant
United States of America

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 31, 2008, a copy of the foregoing
(PROPOSED) ORDER, was served electronically on:

Richard D. Gluck, Esq.
Garvey Schubert Barer

William G. Royce, Esq.
Law Office of William G. Royce

Attorneys for Plaintiff/Appellant
Samson Tug and Barge Company, Inc.

s/Jeanne M. Franken

JEANNE M. FRANKEN